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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,714	01/18/2002	Felice Lavecchia	R23-003	1379

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EXAMINER

LAI, ANNE VIET NGA

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,714

Applicant(s)

LAVECCHIA ET AL.

Examiner

Anne V. Lai

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 Mars 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,8,12-15,18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,8,12-15,18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Yashina** [US.5,068,643].

Regarding claim 1, **Yashina** (Figs.5, 6, 10) discloses a security device for a portable valuables case comprising:

a battery (power supply 10, fig.10); a light-responsive means (optical sensor 5, figs.5 &6) installed in the case for detecting a reduction in an amount of light falling on the case; a signal transmitter unit (21 A, fig. 5); a transmitter control device (20 A, fig. 5); a control means (signal processing circuit 31, fig. 5) operatively connected to the light responsive 5 and the signal transmitter unit;

a remote receiving unit (radar, col. 8, line 15-52) received signals from the transmitter unit to activate an alarm at remote receiving unit upon a reduction of light level sensed by the light responsive means.

Regarding claim 22, **Yashina** (Figs. 6, 9, 10) discloses a security device for a portable valuables case comprising:

a battery (power supply 10, fig.10), a light-responsive means (optical sensor 5, fig. 9) installed in the case, an alarm system (30, fig. 9); and

a control means (signal processing circuit 31, fig. 9) operatively connected to the light responsive 5 and the alarm system to activate the alarm (buzzer 15) upon a reduction in environment lighting level, and the alarm is emitted independent of whether all of the valuables are disposed in the case (col. 11, lines 7-41, the good with accommodated case is stolen and placed in the pocket; an alarm is generated when two conditions are met : the vibration is detected (which turns on the power supply) and the light is blocked, the stolen goods remained in the case; the alarm is also generated when the light is blocked and the micro switch turn on the power supply due to the goods being removed from the case).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yashina** in view of **Graf** [Encyclopedia of Electronic circuits, vol.3, page 413, fig. 67-6].

Regarding claim 8, **Yashina** does not specifically disclose in detail a photocoupler circuit, however, the use of photocoupler in the light responsive control device is well known. **Graf** teaches a photocoupler comprising a diode DT230F and a transistor HIIBI for control driving (SC1408) an indicator lamp.

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement as designer choice the photocoupler of **Graf** to **Yashina** security device to drive the control device base on the light responsive condition.

5. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yashina** in view of **Graf** [Encyclopedia of Electronic circuits, vol.2, page 4, fig. 1-5].

Regarding claims 12 and 13, **Yashina** does not specifically disclose the control means comprise an operational amplifier. **Graf** teaches a photoelectric alarm system comprising two operational amplifiers (CA3078 and CA 3164A in fig.1-5).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement **Graf** teaching using one or more operational amplifiers as designer choice in the light responsive control means for activating a signaling device.

6. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yashina** in view of **Mackenzie** [US. 5,493,278].

Regarding claims 14-15, **Yashina** discloses the security device comprise logic AND circuits (fig. 10). It is obvious that in circuit design, one could choose a variety of logic circuits. **Mackenzie** suggests a sequencer 13 (fig. 1 and col.3, lines 41-57) comprising two logic NAND ports for driving alarm devices.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use as designer choice the **Mackenzie** sequencer NANDs in **Yashina** security device for driving the alarm control device.

7. Claims 18, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yashina** in view of **Middlemiss** [US.6,184,788]. The rejection to claims 18, 20 and 21 are based on the best understanding of the claimed statement.

Regarding claim 18, **Yashina** does not disclose the security device comprising a battery charge level indicating means, however the battery charge level indicating is well known. **Middlemiss** teaches a valuable case (credit card carrying case, fig. 7) having a battery 30 and a low battery voltage circuit 32 to indicate a low/replace battery condition (LED 12, col. 6, lines 50-51 and lines 59-61).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the valuable case with an indicating device to remind the user of charging the battery and therefore provide the user a reliable alarm system.

Regarding claim 20, **Yashina** (figs. 6, 9, 10) disclosed a security device for a portable valuable case comprising an electrical power source (10, fig. 10); an alarm system 30 connected to the power source; a light responsive means (5, fig. 9) installed in the case and energized by the power source upon control (vibration sensor 13 or micro switch 4) and by a reduction in environment lighting levels, thereby generating a control signal for energizing the alarm system.

The **Yashina** device does not have a circuit to indicate the charge level of the power source, however as stated above, one having ordinary skill in the art could apply **Middlemiss** teaching in adding a circuit to indicate a low/replace battery condition.

Regarding claims 21, 23 and 24, **Yashina** (figs. 5, 6) discloses the portable valuable case further comprising:

a signal transmitter unit (21 A, fig. 5) installed in the portable valuable case, a control device for the transmitter (20 A), a control means (31) electrically connected to a light-responsive means 5 and arranged to control the transmitter;

a remote receiving unit (radar, col. 8, lines 15-52) receiving signal from the transmitter unit to activate an alarm at remote receiving unit.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 8, 12-15, 18 and 20-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chandar discloses a light sensing hidden object location system. [US.6,590,497]


Cook discloses an alarm for a card shaped object having a radio frequency transmitter and a remote receiver. [US. 5,642,095]

Steck discloses a self actuated wallet alarm if removed from the owner pocket. [US.3,930,249]

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 703-305-7925. The examiner can normally be reached on 8:30 am to 6:00 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 703-305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A. V. Lai
May 5, 2004


JEFFREY HOFSSASS
SUPERVISORY PATENT EXAMINER
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